GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA

UNSTARRED QUESTION NO:3908
ANSWERED ON:22.12.2015
Consumer Awareness
Bhamre Dr. Subhash Ramrao;Dubey Shri Nishikant ;Gaddigoudar Shri Parvatagouda Chandanagouda;Gaikwad Dr. Sunil Baliram;Gupta Shri Sudheer;Maragatham Smt. K.;Singh Shri Kunwar Haribansh;Singh Shri Sushil Kumar;Sonkar Shri Vinod Kumar

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether the Government has made any assessment/review of the functioning of Consumer Courts to make them more effective, if so, the details and the outcome thereof indicating the number of functional and non-functional courts in the country, State-wise;

(b whether a large number of cases are pending in consumer courts, if so, the details thereof and the reasons therefor indicating the number of cases registered, disposed and pending during the last three years and the current year along with the steps taken for speedy disposal of pending cases, Statewise;

(c) whether the Government has fixed or proposes to fix any time limit for disposal of cases by Consumer Fora, if so, the details thereof and the mechanism in place to ensure its compliance;

(d) whether the Supreme Court has made adverse observations about the shortage of staff, working condition and lack of infrastructure in Consumer Courts, if so, the details thereof and the response of the Government thereto along with the steps proposed to be taken thereon;

(e) whether the Government proposes to amend the Consumer Protection Act, 1986, if so, the details thereof; and

(f) the funds allocated and utilised for creating awareness about Consumer Rights and Laws, if so, the details thereof?

Answer

THE MINISTER FOR
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI RAM VILAS PASWAN)

(a) : Yes, Madam. The Government had instituted a study through Indian Institute of Public Administration (IIPA), New Delhi in 2012. The study revealed that factors such as involvement of lawyers, inadequate laboratory testing facility, lack of capacity of Members to adjudicate complaints, lack of infrastructure and manpower needs to be improved for effective functioning of Consumer Fora.

The details of functional and non-functional courts in the country are given in Annexure I.

(b) : The statement showing the number of cases registered, disposed and pending in these Fora during the last three years and the current year is given in Annexure II.

The pendency in Consumer Fora is due to various reasons such as increased number of cases caused by growing consumers' awareness, strict implementation of due process of adjudication, frequent adjournments, scope for multiple appeals and vacancy of incumbents in certain States/UTs.

The steps taken for speedy disposal of the cases are as under:

(1) The State Governments have been requested from time to time to take action well in advance for filling up of vacancies of President and Member and to maintain a panel of candidates for filling of future vacancies to avoid delay in appointments.

(2) Circuit Benches from National Commission have been frequently visiting States.
(3) Some State Commissions have constituted Additional Benches mainly to dispose backlog of pending cases.
(4) The National Commission and some of the State Commissions as well as District Fora are adopting the process of holding Lok Adalats for speedy disposal of the cases.
(5) Financial assistance is provided by the Central Government to the States/UTs for strengthening the infrastructure of Consumer Fora including computerization and networking.

(c): Section 13 (3A) of the Consumer Protection Act, 1986, provides that, every complaint shall be heard as expeditiously as possible and endeavor shall be made to decide the complaint within a period of three months from the date of receipt of notice by opposite party where the complaint does not require analysis or testing of commodities and within five months, if it requires analysis or testing of commodities:

Provided that no adjournment shall be ordinarily granted by the District Forum unless sufficient cause is shown and the reasons for

grant of adjournment have been recorded in writing by the Forum:

Provided further that the District Forum shall make such orders as to the costs occasioned by the adjournment as may be provided in the regulations made under this Act:

Provided also that in the event of a complaint being disposed of after the period so specified, the District Forum shall record in writing, the reasons for the same at the time of disposing of the said complaint.

(d): No, Madam. There is a Civil Appeal no. 2740/2007 before the Hon'ble Supreme Court regarding the problems being faced by the Consumer Fora in their functioning. The Government will take action as per the directions that may be given by the Hon'ble Supreme Court in this case.

(e) : Yes, Madam. To amend the existing Consumer Protection Act, 1986, the Government introduced Consumer Protection Bill 2015 in Lok Sabha on 10.08.2015. The proposed Bill seeks to provide for several provisions aimed at simplifying the consumer dispute adjudication process in the consumer fora. These include, among others, enhancing the pecuniary jurisdiction of the Consumer Grievance Redressal Agencies, increasing minimum number of Members in the consumer courts to facilitate quick disposal of complaints, power to review their own orders by the State and District Commission, constitution of 'Circuit Bench' to facilitate quicker disposal of complaints , reforming the process for the appointment of the President and Members of the District Fora, enabling provisions for consumers to file complaints electronically and file complaints in consumer courts that have jurisdiction over the place of residence of the complainant, and deemed admissibility of complaints if the question of admissibility is not decided within the specified period of 21 days.

(f) : The Government has allocated funds for creating awareness about consumer rights, laws and consumer Movement. The details of the funds allocated are given in the Annexure lll.

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